

Case T-39/98

Sadam Zuccherifici Divisione della SECI SpA and Others

v

Council of the European Union

(Regulation (EC) No 2613/97 — Provision abolishing national aid to sugar beet producers with effect from the 2001/2002 marketing year — Action for annulment — Inadmissibility)

Order of the Court of First Instance (Fourth Chamber, Extended Composition), 8 December 1998 II - 4209

Summary of the Order

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Regulation abolishing adjustment aid for sugar beet producers — Action brought by sugar beet processing and production establishments — Inadmissible (EC Treaty, Art. 173, fourth para.; Council Regulation No 2613/97, Art. 2)

The action brought by certain sugar beet processing and production establishments for the annulment of Article 2 of Regulation No 2613/97 — which abolishes all adjust-

ment aid for sugar beet producers with effect from the 2001/2002 marketing year — is inadmissible.

That provision introduces a measure of general application which applies to an objectively determined situation and entails legal effects for categories of persons regarded generally and in the abstract, namely the Member States and the sugar beet producers. Moreover, even though that measure is susceptible of affecting the applicants' situation, it would do so only by reason of their objective attribute as economic operators active in the sugar beet sector, in the same way as any economic operator engaged in the same business in the European Community.

In that connection, the fact that the measure's effects are likely to be felt more severely in the region where the applicants are active is irrelevant, since the possibility that such a measure may have different specific effects on the various persons to whom it applies is not inconsistent with its nature as a regulation and, in any event, the applicants are in the same situation as any other sugar producer operating in the same region.